IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3923 OF 2006
IN
FIRST APPEAL NO. 8 OF 2005

WITH

CIVIL APPLICATION NO.3924 OF 2006
IN
FIRST APPEAL NO.9 OF 2005

Director of Enforcement ..Applicant.

V/s.

M/s.Seema Silks and Sarees Ltd. ..Respondent.

WITH

CIVIL APPLICATION NO.3925 OF 2006
IN
FIRST APPEAL NO.10 OF 2005

Director of Enforcement ..Applicant.

V/s.

Shri Vishnu Kumar Gupta ..Respondent.

Mr.Y.R.Mishra for applicant in all the matters.

Mr.Mathus Nedumpur for respondent in all the matters.

CORAM : H.L.GOKHALE AND
J.P.DEVADHAR, JJ.

DATED : 1ST DECEMBER, 2006.

P.C. :-

These Civil Applications seek restoration of First Appeals which came to be dismissed for prosecution. The reason given is that the concerned

Officer of the department was on leave and, therefore, nobody attended the matters. We are not impressed by this reason. However, with a view not to cause prejudice to the revenue on merits, we set aside the order passed by the Registrar (Judicial) on 9th June, 2005 dismissing the appeals for non prosecution. Appeals will be restored to file on payment of costs of Rs.1,500/- in each matter to the respondent.

2. Applications are allowed. Appeals be listed for admission on 14th December, 2006.

(H.L.GOKHALE, J.)

(J.P.DEVADHAR, J.)